

JAN 07 2011

Application No.10/573,835

Docket No.: R2184.0489/P489

AMENDMENTS TO SPECIFICATION

Rewrite the two paragraphs that start on page 3, line 25, as follows:

As shown in FIG. 1, after recording an initial zone 50 of a lead-in area, recording instructed by a host computer is permitted. Then, if a request of ejecting the optical disc is made when the user data 51 is recorded, data 52 of a temporary middle zone ~~[[if]]~~ is recorded from the end of the recorded position of the user data 51 as shown in FIG. 2, and data 53 of the temporary middle zone is recorded immediately after a position corresponding to the above-mentioned user data recording end position in the second layer. Then, an unrecorded area 54 in the second layer is recorded with dummy data, and, thereafter, the lead-in area 55 and the lead-out area 56 are recorded and, then, the optical disc is ejected.

However, in the conventional information recording and reproducing apparatus, if a last recording position of user data or a format end position of a recording medium having ~~[[a]]~~ two recording layers, an area in the second layer corresponding to the first recording layer must be recorded with dummy data when a request of ejecting the recording medium is made. Thus, there is a problem that it takes a considerably long time until the recording medium is ejected.

Rewrite the paragraph that starts on page 4, line 25, as follows:

It is a general object of the present invention to provide improved and useful information recording and reproducing apparatus and method in which the above-mentioned problems are ~~eliminate~~ eliminated.

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Rewrite the paragraph that starts on page 37, line 9, as follows:

As mentioned above, by performing the formatting process of the optical disc from the second recording layer of which recording order of user data is later, a time spent on ejecting the optical disc, when a request for ejecting the optical disc is made in the middle of formatting ~~[[of]]~~ or in the middle of recording user data, can be shortened, thereby reducing a time for ejecting the optical disc.

Rewrite the paragraph that starts on page 52, line 25, as follows:

On the other hand, if the ~~derive~~ drive controller 7 determines that the unrecorded area 47 is equal to or longer ~~[[tan]]~~ than the length of the middle zone, the data of TMZ is recorded in the area immediately after the area 44 of the first recording layer 21 and the area of the same position in a radial direction in the second recording layer 21, and the lead-in area 22 and the lead-out area 27 are recorded, and the optical disc 1 is ejected.

Rewrite the paragraph that starts on page 53, line 24, as follows:

As mentioned above, if the format end position of the second recording layer and the user data last recorded position of the first recording layer are not at the same position along a radial direction of the optical disc 1, the unrecorded area of the first recording area is caused to be already recorded in response to the formatted area of the second recording layer. Thus, the formatted area of the second recording layer can be recognized as an already formatted area even after the optical disc is ejected, and, thereby, the formatting process of the second recording layer is not ~~[[be]]~~ wasted.

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Rewrite the paragraph that starts on page 54, line 20, as follows:

The information recording and reproducing apparatus according to the present invention is used with a recording medium having a plurality of recording layers that is detachably attached thereto, and the present invention is applicable to an apparatus that performs recording and reproduction on such [[as]] a recording medium.